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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,989	06/11/2004	Yui-Shin Fran	12960-US-PA	3988

31561 7590 09/11/2006

JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE
7 FLOOR-1, NO. 100
ROOSEVELT ROAD, SECTION 2
TAIPEI, 100
TAIWAN

EXAMINER

WON, BUMSUK

ART UNIT	PAPER NUMBER
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2879

DATE MAILED: 09/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/709,989

Applicant(s)

FRAN ET AL.

Examiner

Bumsuk Won

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-8 and 13-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-8 and 13-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

The amendment filed on 6/27/2006 has been entered.

Response to Arguments

Applicant's arguments regarding the rejection under 35 USC 112 filed on 6/27/2006 have been fully considered but they are not persuasive.

Regarding the rejection under 35 USC 112, the Applicant argues that paragraph 40 of specification discloses the light emitting area. The Examiner agrees. However, the rejection was not pointing at the specification not being disclosing the light emitting area. The rejection was about failing to comply with the enablement requirement. The Examiner is still uncertain how the light emitting area can be defined inside the flat lamp. Specifically, the Examiner is uncertain whether the area outside of the light emitting area is without any light and inside the light emitting area is with light. Without showing how the light emitting area is defined, the claim limitation related to light emitting area would not have patentable weight. Appropriate action is required.

Applicant's arguments regarding the rejection under 35 USC 102(b) and 102(e) of claims 1-3, 6, 7, and 13-16 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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Claims 4 and 5 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Regarding claims 4 and 5, “the first light emitting areas” and “the second light emitting areas” are not defined. If the light emitting area is defined as the area where the light is emitted by certain anode/cathode pair, and they are either not overlapped or not completely overlapped, the light emitted by pairs of anode/cathode will not generate light outside of the cavity, therefore, claims 4 and 5 does not serve the purpose of emitting light as a back light device, for example. Conversely, if the claimed device serve the purpose of emitting light as a back light device, for example, the light emitted by each anode/cathode pair will have large light emitting area that covers many other light emitting areas emitted by other anode/cathode pairs. Appropriate action is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6-8, and 13-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim (2003/0137237).

Regarding claim 1, Kim discloses a CCFFL (fig 6) comprising: a cavity with a plate shape comprising a first inner wall and a second inner wall (not referenced); a fluorescent

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material (250) disposed over the first inner wall and the second inner wall of the cavity; a discharge gas (para 31) disposed inside the cavity; first electrode pairs (212) disposed over the first inner wall, wherein the first electrode pairs comprises a first anode (212a) and a first cathode (212b); and second electrode pairs (212) disposed over the second inner wall, wherein the second electrode pairs comprises a second anode (212a) and a second cathode (212b), and the first electrode pairs and the second electrode pairs are separated from each other (fig 6).

Regarding claim 2, Kim discloses a first substrate (210); a second substrate (220); and a side bar (240) disposed between the first and the second substrate, and the side bar is connected to an edge of the first and the second substrate (fig 6).

Regarding claim 3, Kim discloses the first electrode pairs (212) are disposed on the first substrate (210), and the second electrode pairs (222) are disposed on the second substrate (220).

Regarding claim 4, the examiner notes that the claim limitation of the light emitting area fails to comply with the enablement requirement; therefore, the area does not have patentable weight.

Regarding claim 6, Kim discloses the first anodes and cathodes over the first inner wall are arranged in a sequence in an order of anode, cathode, cathode, and anode (fig 6).

Regarding claim 7, Kim discloses the second anodes and cathodes over the second inner wall are arranged in a sequence in an order of anode, cathode, cathode, and anode (fig 6).

Regarding claim 8, Kim discloses the first anodes, the first cathodes, the second anodes, and the second cathodes comprises protrusions (212c, 222c).

Regarding claim 13, Kim discloses CCFFL (fig 6) comprising: a cavity (not referenced); a discharge gas (para 31) disposed inside the cavity; a fluorescent material (250) disposed over

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an inner wall of the cavity; electrode pairs (212, 222) disposed over the inner wall of the cavity, and the electrode pairs comprises first protrusions (212c) and corresponding second protrusions (222c) disposed opposite to the first protrusions, wherein the first protrusions and the corresponding second protrusions are not aligned (fig 6).

Regarding claim 14, Kim discloses the first protrusions (212c) and the second protrusions (222c) are arranged at equal distance (fig 7), and intervals of the first and second protrusions are equal (fig 7).

Regarding claim 15, Kim discloses the first protrusions are aligned at a midpoint of two of the second protrusions adjacent thereof (fig 7).

Regarding claim 16, Kim discloses the cavity comprises: a first substrate (210); a second substrate (220); and a side bar (240) disposed between the first and the second substrate, and the side bar is connected to an edge of the first and the second substrate (fig 6).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bumsuk Won whose telephone number is 571-272-2713. The examiner can normally be reached on Monday through Friday, 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar Patel can be reached on 571-272-2457. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Bumsuk Won
Patent Examiner


JOSEPH WILLIAMS
PRIMARY EXAMINER